

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 8, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 97OD-769

Oahu

Set Aside to City and County of Honolulu, Board of Water Supply for Reservoir
Site Purposes; Amend Prior Land Board Action of August 27, 1976, Item F-25,
Waahila, Palolo, Honolulu, Tax Map Key: (1) 3-3-056:portion of 002.

APPLICANT:

City and County of Honolulu, Board of Water Supply

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Government lands situated at Waahila, Palolo, Honolulu, identified by Tax Map Key: (1)
3-3-056:portion of 002, as shown on the attached map labeled Exhibit A.

AREA:

6.641 acres, more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: P-2

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Board of Water Supply Reservoir and encumbered by Land Office Deed No. 25298 to the City and County for drainage easement purposes and also by Land Office Deed No. 28391 to Hawaiian Electric Company for electrical easement related purposes.

PURPOSE:

Reservoir Site Purposes

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements. Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

REMARKS:

At its meeting of August 27, 1976, under agenda Item F-25, the Land Board approved of a land exchange between the State of Hawaii and the Board of Water Supply. The subject land exchange consisted of approximately 27.178 acres from the City and County of Honolulu, intended for State park purposes. The State was to reciprocate with an exchange of four parcels of its own land to the City and County of Honolulu for use as a water reservoir and/or base yard.

Pursuant to a review of the records, staff cannot find any disposition for the subject parcel. Currently, staff is working with the Board of Water Supply to clear the record by requesting the set aside of the lands to the Board of Water Supply.

Staff believes that the subject reservoir site is currently being utilized to its highest and best use pursuant to its current zoning for preservation use.

In view of the latest position, continuing the process of fee conveyance as approved by the Board in 1976 requires resolution from the legislature. Setting aside the subject land can also accomplish the objective of allowing BWS operate the reservoir at the location. Further the quicker processing time for setting aside is also favorable to finalize this outstanding request. Therefore, staff recommends the Board amend its prior action of August 27, 1976, item F-25, by removing all reference to land exchange for the subject parcel.

Comments from other governmental agencies were not solicited since the request is for housekeeping purposes only.

There are no other pertinent issues or concerns. Both the Board of Water Supply and staff have no objections to the subject request. Staff will bring to the Board's attention regarding the other State parcels mentioned in the 1976 board submittal at a later date.

RECOMMENDATION: That the Board

1. Amend its prior action of August 27, 1976, item F-25, by removing all reference to land exchange pertaining to (1) 3-3-056:portion of 002.
2. Subject to Applicant fulfilling the Applicant Requirements above, approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to Board of Water Supply under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and
 - D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Timmy Chee
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson 

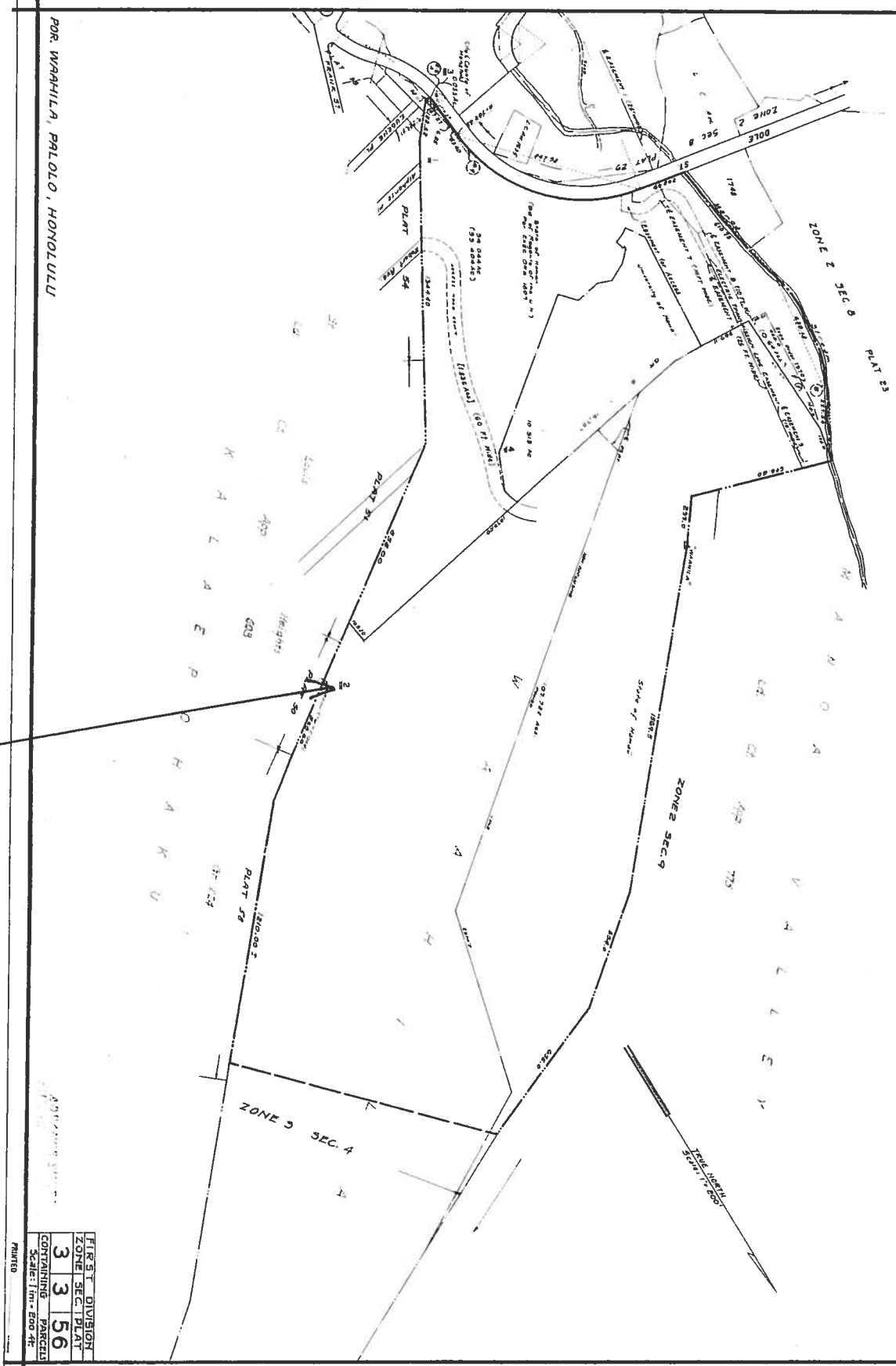
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Div. No. 1057
 By: RE & RD
 Source: Real Estate Maps Bureau

Appr. by
 Revised by
 Appr. by

POR. WAKAHILA, PALOLO, HONOLULU

SUBJECT SITE



FIRST DIVISION
ZONE SEC. PLAT
3 3 56
CONTAINING PARCELS
Scale: 1 in. = 500 ft.

EXHIBIT "A"